



The Commonwealth of Massachusetts

DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

NOTICE OF PUBLIC HEARING AND PROCEDURAL CONFERENCE

D.T.E. 03-117-A (Phase II)

January 26, 2004

Petition of Boston Edison Company d/b/a NSTAR Electric for approval of its 2004 Transition Charge True-Up, pursuant to G.L. c.164, § 1A(a), 220 C.M.R. § 11.03(4) and the Restructuring Settlement Agreement approved by the Department of Telecommunications and Energy in D.P.U./D.T.E. 96-23.

On December 1, 2003, pursuant to G.L. c.164, § 1A(a), 220 C.M.R. § 11.03(4) and the Restructuring Settlement Agreement approved in Boston Edison Company, D.P.U./D.T.E. 96-23 (1998), Boston Edison Company d/b/a NSTAR Electric ("BECo" or "Company") filed with the Department of Telecommunications and Energy ("Department") its 2003 reconciliation filing, which consists of reconciliation of transition, transmission, standard offer and default service costs and revenues, and proposed updated charges and tariffs to be effective January 1, 2004. This filing has been docketed as D.T.E. 03-117.

On January 5, 2004, the Company revised its Filing along with the proposed charges and tariffs to comply with the Department's directives in Boston Edison Company, D.T.E. 03-117 (2003). On January 5, 2004, the Department determined that further investigation was necessary and allowed the tariffs to take effect, subject to reconciliation following the conclusion of its investigation. Boston Edison Company, D.T.E. 03-117-A (2004).

For 2004, BECo proposes the following: average transition charge rates of \$0.01870 per kilowatthour ("KWH"); average transmission charge rates of \$0.00622 per KWH; standard offer charge rates \$0.05100 per KWH; default service adjustment factor of \$0.00073 per KWH; and pension adjustment of \$0.00089 per KWH. BECo has proposed tariffs implementing these changes, including a Default Service Adjustment Tariff, and has proposed changes in charges for energy efficiency and renewables programs pursuant to G.L. c. 25, §§ 19 and 20.

In this phase of the proceeding, the Department will examine issues including, but not limited to, consistency of the updated charges and tariffs with the methods and provisions approved in Boston Edison Company, D.P.U./D.T.E. 96-23 (1998), and compliance with Boston Edison Company, D.T.E. 02-80A (Phase II) (2003); Boston Edison Company, D.T.E. 01-78 (Phase II) (2002); Boston Edison Company, D.T.E. 00-82 (Phase II) (2001); Boston Edison Company, D.T.E. 99-107 (Phase II) (2000); and Boston Edison Company, D.T.E. 98-111 (1999).

The Department will conduct a public hearing to receive comments on the Company's filing at 10:00 a.m. on Thursday, February 12, 2004, at the Department's offices - One South Station, Boston, Massachusetts, 02110. Following the public hearing, the Department will conduct a procedural conference.

Any person who wishes to submit written comments may do so by filing an original and five (5) copies of such comments with: Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station, Boston, Massachusetts 02110, no later than the close of business Thursday, February 12, 2004.

Any person seeking to intervene in this investigation must file an original and five (5) copies of a written petition for leave to intervene or to participate in this proceeding no later than the close of business (5:00 p.m.) February 5, 2004 with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station, Boston, Massachusetts 02110.

A petition to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department -- not mailing -- constitutes filing and determines whether a petition is timely filed. A late-filed petition may be disallowed as untimely, unless good cause is shown for waiver. To be allowed, a petition under 220 C.M.R. 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10.

All written pleadings or comments must also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to dte.efiling@state.ma.us and william.stevens@state.ma.us or (2) on a 3.5" floppy diskette, IBM-compatible format. The text of the e-mail or the diskette label must specify: (1) an easily identifiable case caption; (2) docket number; (3) name of the person or company submitting the filing; and (4) a brief descriptive title or document (e.g., comments or petition to intervene). The electronic filing should also include the name, title and phone number of a person to contact in the event of questions about the filing. Text responses should be written in either Word Perfect (naming the document with a ".wpd" suffix) or in Microsoft Word, (naming the document with a ".doc" suffix). Data or spreadsheet responses should be compatible with Microsoft Excel. Documents submitted in electronic format will be posted on the Department's Website, <http://www.mass.gov/dpu>.

A copy of the Company's filing is on file at the Department's offices, One South Station, Boston, Massachusetts 02110 for public view during business hours. Copies of the filing are also on file for public view at NSTAR, 800 Boylston Street, 17th floor Boston, Massachusetts 02199. Any person desiring further information regarding the Company's filing should contact Robert Werlin, Esq., at (617) 951-1400. Any person desiring further information regarding this notice should contact William H. Stevens, Jr., Hearing Officer, Department of Telecommunications and Energy, at (617) 305-3620.

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ORDER OF NOTICE

The Company, Boston Edison Company shall, no later fourteen (14) days prior to Thursday, February 12, 2004, give notice of said hearing by publication hereof in the Boston Globe or the Boston Herald. The Company shall also serve a copy of the notice on the Chairmen, Board of Selectmen, Mayors, Town Clerks and City Clerks of the towns and cities in the Company's service area, post a copy of the notice in each town or city hall in the Company's service area until the comment period has expired, provide actual notice to any person who has filed a request for notice with the Company, and provide a copy of this notice to all participants in Boston Edison Company, D.T.E. 02-80A (Phase II) (2003); Boston Edison Company, D.T.E. 01-78 (Phase II) (2002); Boston Edison Company, D.T.E. 00-82 (Phase II) (2001); Boston Edison Company, D.T.E. 99-107 (Phase II) (2000); Boston Edison Company, D.T.E. 98-111 (1999); Boston Edison Company, D.P.U./D.T.E. 96-23 (1998); and Boston Edison Company, D.T.E. 97-113 (1998). The Company shall make return of service and proof of publication at the time of the public hearing.

By Order of the Department,

MARY L. COTTRELL, SECRETARY